

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MYLAN INC., et al,)	Civil Action No. 15 - 581
)	
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
KIRKLAND AND ELLIS, LLP.)	

HEARING ON MOTION FOR PRELIMINARY INJUNCTION
Before Magistrate Judge Lisa Pupo Lenihan

<u>PARTY</u>		<u>COUNSEL</u>
Mylan, Inc. Mylan Pharmaceuticals, Inc. Mylan Technologies, Inc. Mylan Specialty LP	Plaintiffs	Michael S. Sommer Morris J. Fodeman William J. Pietragallo, II
Kirkland & Ellis, LLP	Defendant	Kevin Rosen Richard Hosking Daniel S. Floyd Melissa J. Tea

Date: May 26, 2015, at 10:00 AM

Court Reporter: Richard Ford

Clerk: Jane Rodes

Argument was heard on the Motion for Preliminary Injunction (ECF No. [51]). A Report and Recommendation to Chief Judge Joy Flowers Conti will be issued. The Court ruled that the Motion to Strike the Declaration of Douglas Miner would be denied. The Court addressed the argument made in paragraphs 137 and 138 of Defendant's Proposed Findings of Fact and

Conclusions of Law that Plaintiff's "New Evidence" should be disregarded. The Court stated that it was agreed by the parties that, in lieu of presenting live testimony, both sides would proceed by affidavit or declaration. Plaintiffs were entitled to present affidavits in response to those presented by defendant and the Court ruled that said evidence would be considered. The Court further ruled that if Defendant was confronted with new evidence that it needed to respond to, it should so advise and that would be allowed. No request was made.
